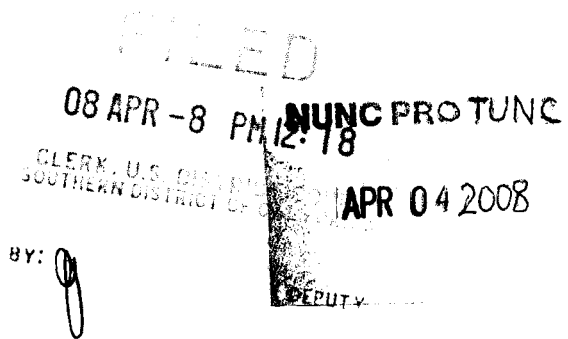


1 CRAIG ORLAND LAKE
2 7951 Broadway
3 Lemon Grove, CA 91945
4 Telephone: (619) 279-1737
5 Facsimile: (619) 462-1833
6 E-Mail: colake@cox.net
7 In Pro Per



8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13
14 ONE BENTLEY FLYING SPUR SEDAN,
15 CALIFORNIA LICENSE NO. 5GAG721
16 VIN SCBBR53WX6C036543,
17 ITS TOOLS AND APPURTENANCES,
18 Defendant

Civil No. 07cv2100-DMS(AJB)

DECLARATION OF CRAIG ORLAND LAKE
AND SEIZED ASSET CLAIM IN SUPPORT OF
APPLICATION FOR RELIEF FROM DEFAULT

Date: April 4, 2008

Time: 

Place: UNITED STATES DISTRICT COURT
Southern District of California
Court Room 10
940 Front Street
San Diego, CA 92101

19
20
21 I, Craig Orland Lake, declare as follows:

- 22 1. I am a Claimant for the Defendant, ONE BENTLEY FLYING SPUR SEDAN, CALIFORNIA
23 LICENSE NO. 5GAG721 VIN SCBBR53WX6C036543, ITS TOOLS AND
24 APPURTENANCES, (hereinafter, "vehicle").
- 25 2. I have visited of hospitals several times for various medical procedures and prescription
26 medication within the past 18 months, due to ill health.
- 27 3. On June 1, 2007, Defendant was seized by the UNITED STATES SECRET SERVICE at La Jolla
28 in San Diego County, California.
- 29 4. On or around July 13, 2007, I received correspondence from the UNITED STATES SECRET
30 SERVICE relating to the seizure of Defendant.

5. On or around August 8, 2007, I sent the "SEIZED ASSET CLAIM FORM," a copy of which is attached, as Exhibit 1, to the UNITED STATES SECRET SERVICE.
6. On or around October 18, 2007, I sent correspondence to Bruce Campbell Smith, Assistant United States Attorney, in order to contest forfeiture of Defendant.
7. Service of the Summons and Complaint was served on my party on or around November 7, 2007.
8. Between July 13, 2007 and February 5, 2008, I have also had verbal communications with BRUCE CAMPBELL SMITH, requesting additional time for response to the complaint due to ill health.
9. At all times the Plaintiff knew or should have known that I intended to answer the complaint. This is in no way a criticism of Plaintiff or its counsel. I inadvertently allowed the time within which to answer run and am now in a position of requesting the court to relieve Defendant of the dire consequences of having a default, as I believe that I have a valid defense to the complaint, as claimant for the defendant.

I declare, under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

Dated: APRIL 4, 2008

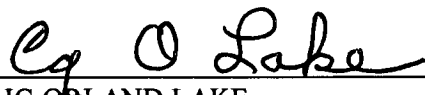

CRAIG O. LAKE
In Pro Per
7951 Broadway
Lemon Grove, California 91945
Telephone: (619) 279-1737

EXHIBIT 1

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FOR GOVERNMENT AGENCY USE ONLY
DATE CLAIM RECEIVED:
CLAIM TIMELY FILED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
TO CONTEST THE FORFEITURE ONLY

SEIZED ASSET CLAIM FORM

NAME: CRAIG O. LAKE
 ADDRESS: 7951 BROADWAY
LEMON GROVE CA
 TELEPHONE NO. (619) 279-1737

Schure No. 412-2007-001
 Case No. 412-777-23905-5
 City & State of Schure: SAN DIEGO, CA

PART I

List the items in which you claim an interest. Include sufficient information to identify the items, such as serial numbers, make and model numbers, aircraft tail numbers, photographs, and so forth. Additional space is provided on the back of the form. You may attach additional sheets of paper if more space is needed.

1. 2006 Bentley SCBBR534W X6C036543

2. _____
3. _____
4. _____
5. _____
6. _____

PART II

State your interest in each item of the property listed above. Please provide any documents that support your claim of interest in these items. Supporting documentation includes titles, registrations, bills of sale, receipts, etc. Additional space is provided on the back of the form. You may attach additional sheets of paper if more space is needed.

CGO AND I MADE THE SALE OF THE
CAR TO ME IN FEB - AT THE
FUDDRUCKERS IN EL TORRO - 23621 EL
TORRO - 92630 - HE THEN WENT OUT OF
TOWN AND WANTED TO SERVICE THE
CAR - I HAD POSSESSION WHEN SEIZED

FOR GOVERNMENT USE ONLY

DATE PETITION RECEIVED:
 PETITION TIMELY FILED:
 PROPERTY STATUS:
 FORFEITURE STATUS:

YES: ___ NO: ___

CASE NUMBER: 412-777-2390 5-5SEIZURE NUMBER: 412-2007-001**PETITION FOR REMISSION/MITIGATION**

Petitioner:
 Street Address:

Craig LAKE
7951 BROADWAY

City:
 Contact:

LEMON GROVE
CRAIG LAKE

State: CAZip Code: 91945

Telephone: 619-279-1737
 Fax: 619-462-7833

E-mail address: COLAKE@COX.NET

Petitioner does not contest the forfeiture, but agrees with Secret Service that property seized in the referenced case is subject to forfeiture by the U.S. government. In filing this Petition, Petitioner submits to an administrative (i.e., non-judicial) process, whereby Secret Service has authority to consider and determine Petitioner's interest, if any, in the property seized. Where a valid interest is established, seized property and/or the value thereof may, depending upon the status of the property and/or forfeiture, be remitted or returned to Petitioner, less applicable costs and expenses. Where mitigation is recommended, monetary penalties may also be imposed.

1. Please indicate your status in filing this Petition: (check appropriate box)**Petitioner is an OWNER or LIENHOLDER.**

With respect to a property interest in existence at the time the illegal conduct giving rise to forfeiture took place, an OWNER or LIENHOLDER must establish:

- a. a legally cognizable property interest in seized property; and
- b. no knowledge of the conduct giving rise to the forfeiture; or
- c. upon learning of conduct giving rise to forfeiture, Petitioner did all that reasonably could be expected under the circumstances to terminate such use of the property.

I DON'T
 ACTUALLY
 KNOW WHEN
 HIS CONDUCT
 TOOK PLACE

**Petitioner is a BONAFIDE PURCHASER or SELLER FOR VALUE.**

With respect to a property interest acquired after the conduct giving rise to the forfeiture has taken place, a BONAFIDE PURCHASER or SELLER FOR VALUE must establish:

- a. a legally cognizable property interest in seized property;
- b. at the time the property interest was acquired, the Petitioner was a BONAFIDE PURCHASER or SELLER FOR VALUE; and
- c. the Petitioner did not know and was reasonably without cause to believe that the property was subject to forfeiture.

I BOUGHT THE
 CAR AND RECEIVED
 THE TITLE ON
 Feb 27 2007

WE MADE

THE DEAL
 ON THE

2006 YEAR.

**Petitioner is a VICTIM of fraud.**

A Petitioner who cannot establish a proper interest in seized property may obtain remission or mitigation of the forfeiture as a VICTIM, if the Petitioner can establish:

- a. It was a VICTIM of the offense giving rise to the forfeiture action;
- b. Petitioner had no knowledge of, or was not willfully blind to, the violation(s) giving rise to the forfeiture action; and
- c. Petitioner did all that reasonably could be expected under the circumstances to prevent the activity giving rise to the forfeiture or the illegal use of the property.

PART I (continued)**PART II (continued)****PART III****ATTESTATION AND OATH**

*I declare under penalty of perjury
that the foregoing is true and correct.*

attest and declare under penalty of perjury that the information provided in support of
my claim is true and correct, to the best of my knowledge and belief.

CRAIG O. LAKE

Name (Print)

08-08-07

Date

Craig O Lake

Signature

1 CRAIG ORLAND LAKE
2 7951 Broadway
3 Lemon Grove, California [91945]
4 Telephone: (619) 279-1737
5 Facsimile: (619) 462-1833
6 E-Mail: colake@cox.net
7 In Pro Per

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
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15 ONE BENTLEY FLYING SPUR SEDAN,
16 CALIFORNIA LICENSE NO. 5GAG721
17 VIN SCBBR53WX6C036543,
18 ITS TOOLS AND APPURTENANCES,
19 Defendant

Civil No. 07cv2100-DMS(AJB)

CERTIFICATE OF SERVICE

19 I, CRAIG ORLAND LAKE, claimant for defendant in this action, certify that on April 4, 2008, at
20 880 Front Street, Suite 6293, San Diego, California and
21 880 Front Street, Suite 6293, San Diego, California, I
22 personally served a copy of the attached DECLARATION OF CRAIG ORLAND LAKE AND SEIZED
23 ASSET CLAIM IN SUPPORT OF APPLICATION FOR RELIEF FROM ENTRY OF DEFAULT on
24 KAREN PECKHAM HEWITT and BRUCE CAMPBELL SMITH, plaintiff's attorneys in this action, by
25 personally handing the copy to RALPH, for KAREN HEWITT at 3:00 PM and
26 RALPH, for BRUCE SMITH at 3:00 PM at 940 Front Street, Courtroom 10, San Diego, California.
27
28
29
30

1 Dated: APRIL 4, 2008

Cy O Lake

CRAIG ORLAND LAKE

In Pro Per

7951 Broadway

Lemon Grove, California 91945

Telephone: (619) 279-1737